

McKENZIE MUNICIPAL-REGIONAL PLANNING COMMISSION  
25 NOVEMBER 2014 MEETING AGENDA  
*McKENZIE MUNICIPAL COMPLEX @ 4:30 PM*

- I. Call to Order
- II. Roll Call / Establishment of a Quorum
- III. Approval of Agenda
- IV. Reading and Approval of the Minutes
- V. Reports
  - A. Municipal Reports
- VI. Old Business
  - A. Review of the McKenzie Regional-Municipal Land Use & Transportation Plan
- VII. New Business
  - A. Review of the Amendment Resolution for the McKenzie Municipal-Regional Subdivision Regulations (Two-Lot Approval by Codes Enforcement Officer / Secretary of the Planning Commission)
  - B. Any other properly presented business
- VIII. Other Business
  - A. December Agenda & Regular Planning Commission Meeting Schedule by Chairman Dean Robb
- IX. Adjournment



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## MEMORANDUM

**TO:** McKenzie Municipal-Regional Planning Commission  
**FROM:** Shelton I. Merrell, Regional Planner  
**DATE:** 18 November 2014  
**SUBJECT:** STAFF REPORT FOR THE NOVEMBER AGENDA ITEMS

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## OLD BUSINESS

### 1. Review of the McKenzie Municipal-Regional Land Use & Transportation Plan

Background / Analysis:

It is time to review the McKenzie Municipal-Regional Land Use & Transportation Plan for possible amendments. There will be a copy of the existing future land use plan map attached with the agenda report for your review. Staff will elaborate more on this item during the December meeting.

## NEW BUSINESS

### 1. Review of the Subdivision Regulations Amendment Resolution

Background / Analysis:

Tennessee Code Annotated allows for minor two-lot subdivisions to be approved administratively by staff. It states the following:

***13-3-402. Regional planning commission platting authority -- Recording plat by county register.***

***(a) (1) From and after the time when the regional planning commission of any region, as defined and created by the department of economic and community development, has adopted a regional plan which includes at least a major road plan or has progressed in its planning to the state of the making and adoption of a major road plan, and has filed a certified copy of such major road plan in the office or offices of the county register or registers of the county or counties lying in whole or in***

*part in such region, then no plat of a subdivision of land within such region, other than land located within the boundaries of any municipal corporation, shall be filed for record or recorded until it has been approved by such regional planning commission, and such approval endorsed in writing on the plat by the secretary of the commission or by another designee of the regional planning commission; provided, that if the plat of subdivision divides the tract into no more than two (2) lots, the approval may be endorsed in writing on the plat by the secretary of the commission or by another designee of the regional planning commission without the approval of the regional planning commission, upon certification by the planning staff of the regional planning commission that the subdivision complies with such regulations governing a subdivision of land as have been adopted by the regional planning commission pursuant to § 13-3-403; provided further, that no request for variance from such regulations has been requested.*

*(2) No plat shall be submitted to or approved by the regional planning commission unless it is submitted by the owner of the property to be subdivided by the plat, or a governmental entity. "Owner," for purposes of this section, means the legal or beneficial owner or owners of all the land proposed to be included in the proposed subdivision, or the holder of a written option or contract to purchase the land, or the attorney or authorized representative of any of the aforementioned.*

*(b) No county register shall receive, file or record a plat of a subdivision, or an amendment, modification, or correction to a recorded plat of a subdivision, without the approval of the regional planning commission when and as required by this part. Each such plat so filed shall include the most recent recorded deed book number and page number for each deed constituting part of the property being platted. Notwithstanding this subsection (b), an easement or survey attached to an easement granted to the state, a county, municipality, metropolitan government, or entity of the state, county, municipality or metropolitan government, shall not constitute an amendment, modification, or correction of a recorded plat of a subdivision.*

Staff has prepared the following for your review and consideration for adoption during the January 22, 2015 meeting:

## RESOLUTION \_\_\_\_\_

### **A RESOLUTION TO AMEND THE McKENZIE SUBDIVISION REGULATIONS ADOPTING PROVISIONS FOR APPROVAL OF MINOR SUBDIVISION PLAT OF NO MORE THAN TWO (2) LOTS BY THE CODES ENFORCEMENT OFFICER WITH THE SIGNATURE OF THE SECRETARY OF THE PLANNING COMMISSION**

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-3-401 through 13-3-411 and 13-4-301 through 13-4-310, subdivision regulations have been adopted for McKenzie, Tennessee and it's Planning Region; and,

WHEREAS, the McKenzie Municipal- Regional Planning Commission has seen fit to amend standards for review and approval of Minor Subdivisions, as defined in this Resolution; and,

WHEREAS, pursuant to Tennessee Code Annotated Section 13-3-403, a public hearing was held by this body on Thursday, the 22th day of January, 2015, the time and place which was published with 15 days' notice;

### **NOW, THEREFORE, BE IT RESOLVED BY THE McKENZIE MUNICIPAL- REGIONAL PLANNING COMMISSION:**

SECTION 1. That the McKenzie Municipal-Regional Subdivision Regulations be amended by the insertion of the following text under Article II

G. Approval of Minor (Two-Lot) Subdivisions by the Zoning Compliance Officer

If the minor plat of a subdivision contains no more that two (2) lots, including any larger remaining tract greater than five acres; or when an existing property line between two (2) existing parcels is being relocated; or two (2) parcels being combined into one (1) parcel, the approval may be endorsed in writing on the plat by the Secretary of the Planning Commission without the approval of the entire Planning Commission, upon the certification of the Codes Enforcement Officer that the subdivision complies fully with these regulations, provided that the Tennessee Department of Environment and Conservation renders certification of approval of the suitability of soils and septic tanks, and also provided that no variance from these regulations has been requested, as allowed by Tennessee Code Annotated 13-3-402 (a)(1).

The Codes Enforcement Officer or the Secretary of the Planning Commission shall have the discretion to refer any such plat to the full Planning Commission and Planning Staff for consideration, and shall refer any such plat to the full Planning Commission if any variance is requested.

SECTION 2.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its adoption, THE PUBLIC WELFARE REQUIRING IT.

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Dean Robb, Chairman

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Garlon Prewitt, Secretary

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Date

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Date